

REMARKS

This Amendment is responsive to the Office Action dated May 17, 2004. Claims 1-3, 5-8, 10, 11 and 13 were pending in the application. In the Office Action, claims 1-3, 5-8, 10, 11 and 13 were rejected. In this Amendment, claims 1, 6 and 11 were amended. Claims 1-3, 5-8, 10, 11 and 13 thus remain for consideration.

Applicant submits that claims 1-3, 5-8, 10, 11 and 13 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Drawings

The objection to the drawings is noted and corrected in accordance with the replacement drawing sheet accompanying this Amendment.

Applicant has provided a replacement drawing sheet, including Fig. 1, for the corresponding previously filed drawing sheet. The replacement sheet amends Fig. 1 as suggested by the Examiner. Accordingly, Applicant submits that the drawings are now in compliance with all formality requirements, and request that the objection to the drawings be withdrawn.

§103 Rejections

Claims 1-3 and 6-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Michener et al. (U.S. Patent No. 6,323,909) in view of Kanota et al. (U.S. Patent No. 5,991,500) and further in view of Iwamura (U.S. Patent No. 5,844,623).

Claims 5, 10, 11 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Michener in view of Kanota and further in view of Iwamura and further in view of Okuyama et al. (U.S. Patent No. 5,987,126).

Applicant submits that the independent claims (claims 1, 6 and 11) are patentable over Michener, Kanota, Iwamura and Okuyama.

Applicant's invention as recited in the independent claims is directed toward an apparatus for receiving a digital signal, a method for receiving a digital signal, and a recording medium for storing a computer program for implementing a method for receiving a digital signal. Each of the claims recites that at least one of a first broadcast signal in a first format and a second broadcast signal in a second format is received, and that when it is determined that a signal in the second format is received a conversion operation is performed. That is, when it is determined that a signal in the second format is received the data structure of the signal is converted to generate a third broadcast signal. Each of the claims further recites that "said converting the data structure of the second broadcast signal includes rearranging a timestamp and a packet length of a transport stream of the second broadcast signal." Supporting disclosure for Applicant's recited conversion operation can be found in the specification at, for example, page 11, lines 8-11.

Neither Michener, Kanota, Iwamura nor Okuyama discloses converting the data structure of a broadcast signal by rearranging a timestamp and a packet length of a broadcast stream of the broadcast signal. Accordingly, Applicant believes that claims 1, 6 and 11 are patentable over Michener, Kanota, Iwamura and Okuyama – taken either alone or in combination – on at least this basis.

Claims 2-3 and 5 depend on claim 1. Since claim 1 is believed to be patentable over the cited references, claims 2-3 and 5 are believed to be patentable over the cited references based at least on their dependency on claim 1.

Claims 7, 8 and 10 depend on claim 6. Since claim 6 is believed to be patentable over the cited references, claims 7, 8 and 10 are believed to be patentable over the cited references based at least on their dependency on claim 6.

Claim 13 depends on claim 11. Since claim 11 is believed to be patentable over the cited references, claim 13 is believed to be patentable over the cited references based at least on its dependency on claim 11.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
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